



William D. Reilich
Supervisor

TOWN OF GREECE

BOARD OF ZONING APPEALS MINUTES

OCTOBER 4, 2016

Work Session Began: 6:30 p.m.

Meeting Began: 7:00 p.m.

Place: Community Conference Room, Greece Town Hall

Present

Albert F. Meilutis, Chairman

Robert J. Bilsky

Andrew P. Forsythe

Thomas F. Hartwig

Cathleen A. Nigro

Bradford Shea

Christopher A. Schiano, Esq., Deputy Town Attorney

John T. Caterino, Planning Assistant

Maryjo Santoli, Zoning Board Secretary

Absent

Randy T. Jensen

Additions, Deletions and Continuances to the Agenda

Announcements

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Old Business:

1. Applicant: Jane Kenney
 Location: 305 Crystal Creek Drive
 Mon Co. Tax No.: 045.01-2-91
 Zoning District: R1-E (Single-Family Residential)
 Request: An area variance for an existing covered porch (12.5 feet x 18.0 feet; 225.0 square feet) with a (south) rear setback of 2.5± feet, instead of the 10.0 feet minimum required. Sec. 211-11 E (1), Table I

On a motion by Mr. Bilsky and seconded by Mr. Forsythe, it was resolved to continue the public hearing on this application until the meeting of October 18, 2016, per the applicant's request.

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|--------------|---------------------|------------|---------------------|---------------|
| VOTE: | Mr. Bilsky | Yes | Mr. Forsythe | Yes |
| | Mr. Hartwig | Yes | Mr. Jensen | Absent |
| | Mr. Meilutis | Yes | Ms. Nigro | Yes |
| | Mr. Shea | Yes | | |

**Motion Carried
Application Continued Until
Meeting of October 18, 2016**

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WHEREAS, having considered carefully all relevant documentary, testimonial and other evidence submitted, the Board of Zoning Appeals makes the following findings:

1. Upon review of the application, the Board of Zoning Appeals determined that the application is subject to the State Environmental Quality Review Act (New York State Environmental Conservation Law, Article 8) and its implementing regulations (6 NYCRR Part 617, the "SEQRA Regulations") (collectively, "SEQRA"), and that the application constitutes an Unlisted action under SEQRA.
2. The Board of Zoning Appeals has considered the Proposal at a public meeting (the "Meeting") in the Greece Town Hall, 1 Vince Tofany Boulevard, at which time all parties in interest and citizens were afforded an opportunity to be heard.
3. Documentary, testimonial, and other evidence were presented at the Meeting relative to the Proposal for the Board of Zoning Appeals' consideration.
4. The Board of Zoning Appeals has carefully considered environmental information that was prepared by the Applicant and/or the Applicant's representatives or the Town's staff, which included but was not limited to maps, drawings, descriptions, analyses, reports, reviews, and an Environmental Assessment Form ("EAF") (collectively, the "Environmental Analysis").
5. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered additional information submitted by the Applicant's representatives, including but not limited to: oral or written descriptions of the Proposal; maps and other drawings of the Proposal; and various oral or written comments that may have resulted from meetings with or written correspondence from the Applicant's representatives.
6. The Board of Zoning Appeals has carefully considered additional information and comments that resulted from telephone conversations or meetings with or written correspondence from the Applicant and the Applicant's representatives.
7. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from various involved and interested agencies, including but not limited to the Monroe County Department of Planning and Development and the Town's own staff.
8. The Board of Zoning Appeals also has included in the Environmental Analysis and has carefully considered information, recommendations, and comments that recommendations, and comments that may have resulted from telephone conversations or meetings with or written correspondence from nearby property owners, and all other comments submitted to the Board of Zoning Appeals as of this date.
9. The Environmental Analysis examined the relevant issues associated with the Proposal.
10. The Board of Zoning Appeals has completed Parts 2 and 3 of the EAF, and has carefully considered the information contained therein.
11. The Board of Zoning Appeals has met the procedural and substantive requirements of SEQRA.
12. The Board of Zoning Appeals has carefully considered each and every criterion for determining the potential significance of the Proposal upon the environment, as set forth in SEQRA.

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13. The Board of Zoning Appeals has carefully considered (that is, has taken the required "hard look" at) the Proposal and the relevant environmental impacts, facts, and conclusions disclosed in the Environmental Analysis and all additional relevant information submitted.
14. The Board of Zoning Appeals concurs with the information and conclusions contained in the Environmental Analysis.
15. The Board of Zoning Appeals has made a reasoned elaboration of the rationale for arriving at its determination of environmental significance and the Board of Zoning Appeals' determination is supported by substantial evidence, as set forth herein.
16. To the maximum extent practicable, the project as originally designed or as voluntarily modified by the Applicant will minimize or avoid potential adverse environmental impacts that were identified in the environmental review process.

NOW, THEREFORE, be it

RESOLVED that, pursuant to SEQRA, based on the aforementioned information, documentation, testimony, and findings, and after examining the relevant issues, the Board of Zoning Appeals' own initial concerns, and all relevant issues raised and recommendations offered by involved and interested agencies and the Town's own staff, the Board of Zoning Appeals determines that the Proposal will not have a significant adverse impact on the environment, which constitutes a negative declaration.

Seconded by Mr. Bilsky and duly put to a vote, which resulted as follows:

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|--------------|---------------------|------------|---------------------|---------------|
| VOTE: | Mr. Bilsky | Yes | Mr. Forsythe | Yes |
| | Mr. Hartwig | Yes | Mr. Jensen | Absent |
| | Mr. Meilutis | Yes | Ms. Nigro | Yes |
| | Mr. Shea | Yes | | |

Motion Carried

Ms. Nigro then offered the following resolution and moved its adoption:

Mr. Chairman, regarding the application of Ralph Honda Automotive, Inc., 3939 West Ridge Road, their representative, Mr. Jay Hurzy from Sign and Lighting Services, appeared before the Board of Zoning Appeals this evening, requesting several variances as mentioned above.

The findings of fact are as follows. Jay Hurzy from Sign and Lighting Services appeared before the Board, representing Ralph Honda Automotive at 3939 West Ridge Road, and stated that a Ralph dealership has been at this location for at least 30 years and has recently undergone a 14,000-square-foot expansion and corporate branding package, requiring new signage. Variance "a" is a branding sign on the curved entrance of the building. It shows that this is a Honda dealership and it also makes it easier for customers to identify the building, coming from West Ridge Road. This is a standard package purchased and it is the smallest size that they could purchase. Variance "b" is a branding sign—"Honda." Variance "c" is directional to the "Service Department," and shows what services are provided. Variance "d" is directional to "Express Service." Variance "e" and "f" are directional for the "Service Reception" area; these are all different bays located underneath Variance "c," the

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"Service Department" sign. Variance "g," the setback for this proposed freestanding sign will be retrofitted and is the same setback as the existing sign, and that was a result of the widening in 2006 of West Ridge Road by the New York State Department of Transportation; this widening took frontage away from the property. It will be a double-faced sign of aluminum construction and fiberglass cladding and internally housed LED illumination. The proposed amount of signage and size of this request are consistent with other auto dealers in this section of West Ridge Road. The remainder of the signs will also be acrylic with aluminum frame and LED lighting. County comments were received, with no concerns, and no one spoke opposing this request.

Therefore, I move to approve this application with the condition that the applicant obtain all necessary permits.

Seconded by Mr. Bilsky and duly put to a vote, which resulted as follows:

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|--------------|---------------------|------------|---------------------|---------------|
| VOTE: | Mr. Bilsky | Yes | Mr. Forsythe | Yes |
| | Mr. Hartwig | Yes | Mr. Jensen | Absent |
| | Mr. Meilutis | Yes | Ms. Nigro | Yes |
| | Mr. Shea | Yes | | |

Motion Carried
Application Approved
With Condition

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MODIFICATION TO NEIGHBORHOOD NOTIFICATION:

1. Applicant: Sunscape Farms
 Location: 1510 & 1532 Maiden Lane
 Mon. Co. Tax No.: 059.19-3-1.1 & 059.19-3-26
 Zoning District: R1-18 (Single-Family Residential)
 Request: Relief from Condition #1 of the special use permit granted by the Board of Zoning Appeals on May 5, 2015, which limited the farm market operation from the months of May to November each year. Sec. 211-11 C (2) (d), Sec. 211-60 A

The staff has requested a modification of the neighborhood notification requirements, to reduce the number of property owners to be notified. The basis for this request is the large size of the entire parcel, of which this site is but one part, and the many properties which would be included in the notification but which are not near the subject of the special use permit.

On a motion by Mr. Bilsky and seconded by Mr. Shea, it was resolved to amend the Neighborhood Notification for the relief from Condition#1 of the special use permit granted by the Board of Zoning Appeals on May 5, 2015 submitted by Sunscape Farms, relying on the Town staff's judgment for fulfillment of the zoning ordinance intent for adequate neighborhood notification, which should be just the parcels fronting Maiden Lane, the parcel directly east of Sunscape's properties, and three parcels on Woodstone Lane, which are the parcels in the immediate vicinity that potentially would be most affected by the proposed special use permit.

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| VOTE: | Mr. Bilsky | Yes | Mr. Forsythe | Yes |
| | Mr. Hartwig | Yes | Mr. Jensen | Absent |
| | Mr. Meilutis | Yes | Ms. Nigro | Yes |
| | Mr. Shea | Yes | | |

Motion Carried
Request Granted

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ADJOURNMENT: 7:22 p.m.

APPROVAL OF BOARD OF ZONING APPEALS MEETING MINUTES

The Board of Zoning Appeals of the Town of Greece, in the County of Monroe and State of New York, rendered the above decisions.

Signed: _____

Albert F. Meilutis, Chairman

Date: _____

NEXT MEETING: October 18, 2016